

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

BILLY R. WILLIAMS, :  
: Plaintiff, : Civil Action No. 03-239E  
: : Hon. Maurice B. Cohill, Jr.  
vs. :  
: :  
: PENNSYLVANIA STATE POLICE, AN :  
AGENCY OF THE COMMONWEALTH :  
OF PENNSYLVANIA, :  
: Electronically Filed  
Defendant. :  
:

**PLAINTIFF'S MOTION IN LIMINE TO EXCLUDE/STRIKE DEFENDANT'S  
PROPOSED EXHIBIT PSP 61 PURSUANT TO RULES 401-403 AND 802 OF THE  
FEDERAL RULES OF EVIDENCE**

AND NOW, comes Plaintiff, Billy Williams, by and through his counsel of record, Neal A. Sanders, Esquire, and Dirk D. Beuth, Esquire, of the Law Offices of Neal A. Sanders, and files the following Motion in Limine to Exclude/Strike Defendant's Proposed Exhibit PSP 61 Pursuant To Rules 401-403 And 802 Of The Federal Rules Of Evidence:

1. In this action, Plaintiff has asserted claims under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §2000e *et seq.* against the Defendant. Specifically, Plaintiff claims that the Defendant subjected him to a hostile environment because of his race and that the Defendant discriminated against him because of his race when it transferred him in September 2000

and January 2001 to less prestigious positions with substantially different material responsibilities.

2. Defendant seeks to open this case to issues well beyond the race/Afro American discrimination claim brought by this Plaintiff.

3. This Exhibit PSP 61 (see attached) brings into issue a Consent Decree, Defendant was issued by U.S. Department of Justice or FOP for historical minority/race discrimination within its ranks State wide.

4. Plaintiff has no intentions of going that far in Plaintiff's case in chief in this case unless the Court permits Defendant to go that far with PSP 61.

5. If the Court denies Plaintiff's Motion herein, Plaintiff will be forced to raise the Consent Decree should the Court determine that Defendant is permitted to introduce a statistical self serving PSP 61 Exhibit at time of jury trial in this case.

6. Plaintiff attaches a copy of Defendant's Exhibit PSP 61 for the benefit of the Court and the disposition of this Motion.

7. A proposed Order is attached.

8. A Brief in Support is also being filed.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court grant Plaintiff's Motion in Limine and exclude/strike Defendant's Exhibit PSP 61 in its entirety and any references to Consent Decree and its aftermath and execute the attached proposed Order.

Respectfully submitted,  
LAW OFFICES OF NEAL A. SANDERS

Dated: November 29, 2007

By: /s/Neal A. Sanders  
Neal A. Sanders, Esquire  
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Co-Counsel for Plaintiff,  
Billy R. Williams

By: /s/Dirk D. Beuth  
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